

REMARKS

Reconsideration and allowance of the above-identified application are respectfully requested. Claims 1-26 are now pending, wherein claims 21 and 23 have been amended and claims 25 and 26 have been added.

The paragraph beginning on page 6, line 24 has been amended to be consistent with figure 5.

Applicant notes with appreciation the Examiner's consideration of the document cited in the Information Disclosure Statement filed on December 17, 2002.

In the first paragraph of the Office Action claim 23 is objected to for minor informalities. Claims 21 and 23 have been amended to replace the phrase "an key" with "a key". It is respectfully submitted that this amendment does not narrow the scope of coverage of these claims. In view of this amendment, withdrawal of the objection to claim 23 is respectfully requested.

In the third paragraph of the Office Action claims 1-24 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by European Patent Application Publication No. 0 514 307A to ("*Gibson*") this ground of rejection is respectfully traversed.

Gibson does not anticipate Applicant's claim 1 because *Gibson* does not disclose all of the elements of Applicant's claim 1. For example, *Gibson* does not disclose the steps of "starting a timer, if the icon is found being within a visible portion of first one of said inactive windows" and "displaying said first inactive window on the first display layer, if

the icon is found to be held within a visible portion of said first inactive window until said timer is expired" as recited in Applicant's claim 1.

Gibson discloses a method and apparatus for selectively revealing obscured portions of a viewport during graphic user interface drag and drop operations. Specifically, *Gibson* discloses monitoring the movement of a visual indicator 19 between viewports, and rearranging the order of the viewports if movement between the viewports is detected. (Col. 7, lines 46-51). The display of the viewports is based upon the location of the visual indicator within the boundary of a particular viewport. For example, as discussed in column 8, lines 6-14 of *Gibson*, the detection of an icon crossing an outer boundary of one viewport into another viewport results in automatic relocation of the viewports. *Gibson* also discloses that an override function can be performed which prevents the rearranging of viewports based upon movement of a visual indicator between viewports. However, *Gibson* does not disclose a timer. Accordingly, *Gibson* cannot disclose the steps of "starting a timer" and "displaying said first inactive window" as recited in Applicant's claim 1.

To reject Applicant's claim 1 the Office Action cites the override feature of *Gibson* which prevents the automatic rearrangement of overlapping viewports as allegedly suggesting a timer. Because Applicant's claim 1 is being rejected for anticipation by *Gibson*, what is suggested by *Gibson* is not relevant to this rejection. Additionally, because *Gibson* discloses that the arrangement of the viewport is based upon crossing boundaries from one viewport to another, there is no indication in *Gibson* that a timer should be

employed as asserted in the Office Action. Because *Gibson* does not disclose the steps of "starting a timer" and "displaying said first inactive window" as recited in Applicant's claim 1, *Gibson* cannot anticipate Applicant's claim 1.

Claims 2-6 variously depend from claim 1, and are, therefore, not anticipated by *Gibson* for at least those reasons stated above with regard to Applicant's claim 1.

Independent claims 7, 13 and 19 respectively recite a computer readable medium and a computer system with similar elements to those discussed above with regard to Applicant's claim 1. Accordingly, it is respectfully submitted that *Gibson* does not anticipate independent claim 7, 13 and 19 for similar reasons to those discussed above with regard to Applicant's claim 1.

Claims 8-12, 14-18, and 20-24, respectively depend from independent claims 7, 13 and 19, and are, therefore, not anticipated by *Gibson* for at least those reasons stated above with regard to their respective independent claims.

New claim 25 is patentably distinguishable from *Gibson* because *Gibson* does not disclose or suggest the step of "displaying said second window as an active window based on whether the icon is held within a visible portion of the second window for a predetermined amount of time." As discussed above with regard to Applicant's claim 1, *Gibson* discloses displaying particular viewports based upon the location of an icon, and not based upon whether the icon is held over a particular window until the expiration of a timer. Accordingly, *Gibson* cannot disclose that said second window is displayed "as an active window based on whether the icon is held within a visible portion of the second

window for a predetermined amount of time." Accordingly, new claim 25 is patentably distinguishable from *Gibson*. New claim 26 depends from new claim 25, and is, therefore, patentably distinguishable over *Gibson* for at least those reasons stated above with regard to Applicant's claim 25.


For at least those reasons stated above it is respectfully requested that the rejection of claims 1-24 as allegedly being anticipated by *Gibson* be withdrawn.

All outstanding objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance. Notice to this effect is earnestly solicited. If there are any questions regarding this response or the application in general, the Examiner is encouraged to contact the undersigned at 703-838-6578.

Respectfully submitted,

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